

# ATLANTA CITY COUNCIL

## ACTION/MINUTES

### SEPTEMBER 19, 2011

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, September 19, 2011. The Meeting convened at 1:28 p.m. in the Council Chambers at City Hall. The roll was called and a quorum was declared.

**PRESIDER (S):** The Honorable Council President Ceasar C. Mitchell Presided. The Honorable Council President Pro Tempore Joyce M. Sheperd and The Honorable Acting Council President Pro Tempore Felicia A. Moore presided a portion of the meeting.

**Attendance:**

The following (12) voting members were present at the Meeting:

<b>The Honorable Carla Smith</b>	<b>The Honorable Felicia A. Moore</b>
<b>The Honorable Kwanza Hall</b>	<b>The Honorable C. T. Martin</b>
<b>The Honorable Ivory Young, Jr.</b>	<b>The Honorable Keisha Bottoms</b>
<b>The Honorable Natalyn Archibong</b>	<b>The Honorable Joyce Sheperd</b>
<b>The Honorable Alex Wan</b>	<b>The Honorable Michael Bond</b>
<b>The Honorable Yolanda Adrean</b>	<b>The Honorable Aaron Watson *2:54</b>

*Councilmembers Cleta Winslow, Howard Shook and H. Lamar Willis were absent.*

**\*Arrival Time:** - indicates arrival after convening roll call.

**INVOCATION:** Pastor Gerald Durley of Providence Missionary Baptist Church gave the invocation.

**PLEDGE OF ALLEGIANCE:** In unison, the Council recited the Pledge of Allegiance to the flag of the United States of America.

**REPORT OF THE JOURNAL:** Rhonda Dauphin Johnson, Municipal Clerk, certified to the Council and the Committee on Council that the **Action/Minutes** of the **September 06, 2011** Regular Meeting are true and correct. The Minutes were **FILED** without objection.

**ADOPTION OF AGENDA:** Councilmember Alex Wan made a Motion to **Amend the Agenda** by considering a resolution prior to the report of standing committees. It was properly Seconded and after a brief discussion, the Motion to **Adopt the Agenda as Amended** **CARERIED** by a roll call vote of **9 yeas; 0 nays**.

# **COMMUNICATIONS**

Council President Ceasar C. Mitchell Presided

**COMMUNICATIONS**

- 11-C-1368 ( 1) A Communication from **Howard W. Grant, Ph.D., Executive Administrator, Atlanta Board of Education**, appointing Ms. Brenda J. Muhammad as their representative to serve on the Atlanta Development Authority Board of Directors.  
**FILED WITHOUT OBJECTION**
- 11-C-1369 ( 2) A Communication from **Flor Velarde, Atlanta Development Authority, to Municipal Clerk Rhonda Dauphin Johnson**, nominating Mr. Theodore A. Zitelli as their representative to serve on the Hollowell/M. L. King Tax Allocation District Advisory Committee in the Industrial Business Community category.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION**
- 11-C-1370 ( 3) A Communication from **Flor Velarde, Atlanta Development Authority, to Municipal Clerk Rhonda Dauphin Johnson**, nominating Mr. Darrell D. Anderson as their representative to serve on the Metropolitan Tax Allocation District Advisory Committee in the Business Community category.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION**
- 11-C-1420 ( 4) A Communication by **Councilmembers Natalyn Mosby Archibong, District 5; Alex Wan, District 6; Howard Shook, District 7; Yolanda Adrean, District 8 and Aaron Watson, Post 2 At-Large** re-appointing Mr. Andy Schneggenburger to the Beltline Affordable Housing Advisory Board. This re-appointment is for a term of two (2) years, beginning retroactively on May 1, 2011 and expiring on April 30, 2013.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION**

## **VETOED LEGISLATION**

**Council President Ceasar C. Mitchell Presided**

**VETOED LEGISLATION**

**NONE**

## **UNFINISHED BUSINESS**

Council President Ceasar C. Mitchell Presided

**UNFINISHED BUSINESS**

11-R-1270 ( 1)      A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to enter into an appropriate contract renewal with Keefe Commissary Network, for FC-6008000000, for Inmate Commissary and Trust Fund Services, in an amount not to exceed \$444,000.00 for one year, for the purpose of providing labor, supplies and materials necessary for the management of the Trust Fund and the management and distribution of commissary goods for the detainees in the Atlanta City Detention Center (ACDC). All contracted work shall be charged to and paid from Fund, Account and Center Number listed; and for other purposes.

**At the regularly scheduled meeting, held September 06, 2011, Councilmember Willis made a motion to Table 11-R-1270 for a two-week time certain. It was properly seconded and the Motion CARRIED by a roll call vote of 8 yeas; 7 nays. During this meeting, there was Motion to remove the resolution off the Table. It was properly Seconded and CARRIED by a roll call vote of 11 yeas; 0 nays. Resolution 11-R-1270 was before the Council. Following, a Motion was made to Adopt. It was properly Seconded and CARRIED by a roll call vote of 11 yeas; 0 nays.**

**ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

# **CONSENT AGENDA SECTION I**



Council President Pro Tempore Joyce M. Sheperd Presided

**CONSENT AGENDA**

There was no separate discussion of the following items with the exception of items 11-O-1241 and 11-O-0740 which were removed from the Consent Agenda, and considered separately per Rules for the Conduct of Business of the Council of the City of Atlanta (As Amended), Rule XI; Order of Business, SECTION 11.2; Consent Agenda.

The following CONSENT AGENDA SECTION I received a Favorable Recommendation and was Adopted in accordance with Section 11.2 by the following roll call vote: **10 Yeas: Councilmembers Smith, Hall, Young, Archibong, Adrean, Moore, Martin, Bottoms, Sheperd and Bond: 0 Nays.**

**The original vote of Consent Agenda Section I was 10 yeas; 0 nays; however, Councilmember Archibong made a Motion to Reconsider the Consent Agenda to remove Ordinance 11-O-0740. It was properly Seconded and CARRIED by a roll call vote of 10 yeas; 0 nays. Consent Agenda Section I was then before Council. Following, the Motion to Adopt was made and Without Objection, the Motion CARRIED by a roll call vote of 10 yeas; 0 nays.**

**SECTION I**

**ORDINANCES FOR SECOND READING**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**  
**JOYCE SHEPERD, CHAIR**

11-O-1239 ( 1)      An Ordinance by **Community Development/Human Resources Committee** authorizing the Mayor to enter into a Renewal and First Amendment to the Memorandum of Understanding between the City of Atlanta and the Grant Park Conservancy; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**

11-O-1240 ( 2)      An Ordinance by **Community Development/Human Resources Committee** authorizing the Mayor to rename the Kirkwood Greenway to Kirkwood Urban Forest Park; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**

11-O-1361 ( 3)      An Ordinance by **Councilmember Joyce M. Sheperd** amending the 2012 (WIA Dislocated Worker Job Training Fund) Budget, Atlanta Workforce Development Agency, by adding to anticipations and appropriations in the amount of \$206,705.00 in the Workforce Investment Act Dislocated Worker Fund from the Georgia Department of Labor, to provide job training and other skills to Local Dislocated Workers; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**

Council President Pro Tempore Joyce M. Sheperd Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**ORDINANCES FOR SECOND READING (CONT'D)**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)**  
**JOYCE SHEPARD, CHAIR**

- 11-O-1362 ( 4)      An Ordinance by **Councilmember Joyce M. Sheperd** amending the 2012 (Job Training Fund) Budget, Atlanta Workforce Development Agency, passed in Ordinance 09-O-0677, adopted by the City Council on May 18, 2009 and approved by the Mayor on May 26, 2009, by adding to anticipations and appropriations in the amount of \$4,634.00 to reflect an increase in the grant amount to \$2,748,725.00 in the Workforce Investment Act Youth Fund from the Georgia Department of Labor to provide youth jobs and training and other skills to local youths; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**
- 11-O-1363 ( 5)      An Ordinance by **Councilmember Joyce M. Sheperd** amending the 2012 (Job Training Fund) Budget, Atlanta Workforce Development Agency, passed in Ordinance 09-O-0676, adopted by the City Council on May 18, 2009 and approved by the Mayor on May 26, 2009, by adding to anticipations and appropriations in the amount of \$25,000.00 to reflect an increase in the grant amount to \$1,139,301.00 in the Workforce Investment Act Dislocated Worker Fund from the Georgia Department of Labor to provide job training and other skills to local dislocated workers; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**
- 11-O-1364 ( 6)      An Ordinance by **Councilmember Joyce M. Sheperd** amending the 2012 (Job Training Fund) Budget, Atlanta Workforce Development Agency, passed in Ordinance 09-O-0675, adopted by the City Council on May 18, 2009 and approved by the Mayor on May 26, 2009, by adding to anticipations and appropriations in the amount of \$84,500.00 to reflect an increase in the grant amount to \$1,162,597.00 in the Workforce Investment Act Adult Fund from the Georgia Department of Labor, to provide job training and other skills to local adults; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**

Council President Pro Tempore Joyce M. Sheperd Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**ORDINANCES FOR SECOND READING (CONT'D)**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)**  
**JOYCE SHEPERD, CHAIR**

11-O-1243 ( 7)      An Ordinance by **Community Development/Human Resources Committee** amending the Intergovernmental Grant Fund Budget by anticipating and appropriating program income generated from projects funded under the Empowerment Zone Program 25202680 (Project) 101 (Task) 250230904 (Award); and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**

11-O-1268 ( 8)      A **Substitute** Ordinance by **Community Development/Human Resources Committee** to amend the Community Development Fund Budget and the HOME Investment Partnership Act Budget by anticipating and appropriating program income generated from projects funded under the Community Development Block Grant (CDBG) Program, HOME Investment Partnership Act (HOME) Program, and Neighborhood Stabilization Program (NSP); and for other purposes.  
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS**

11-O-1241 ( 9)      An Ordinance by **Community Development/Human Resources Committee** to change the effective date for the creation of the Manor at Scott's Crossing Housing Urban Enterprise Zone (Phase 1), created pursuant to Ordinance 10-O-0499, from January 1, 2011 to January 1, 2012; and for other purposes. **(Public Hearing held 9/12/11)**

**The above item was removed from the Consent Agenda by request of Councilmember Sheperd.**

**SEE COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE REPORT**

11-O-1242 (10)      An Ordinance by **Community Development/Human Resources Committee** authorizing the Mayor to execute a Quitclaim Deed conveying the City of Atlanta's interest in properties located at **875 Joseph E. Boone Street, 881 Joseph E. Boone Street, 887 Joseph E. Boone Street and 870 Proctor Street** in Atlanta, Fulton County, Georgia for the consideration of one dollar (\$1.00) to the Atlanta/Fulton County Land Bank Authority for the public purpose of returning the property to an effective utilization status; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**

Council President Pro Tempore Joyce M. Sheperd Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**ORDINANCES FOR SECOND READING (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**IVORY L. YOUNG, JR., CHAIR**

- 11-O-1261 (11) An Ordinance by **Public Safety and Legal Administration Committee** amending the 2012 (Intergovernmental Grant Fund) Budget, Department of Police, by adding to anticipations and appropriations, in the amount of \$2,938,599.00, for Grant Funds, from the White House Office of National Drug Control Policy ("ONDCP"), for the purpose of continuing the Atlanta High Intensity Drug Trafficking Area Task Force ("Atlanta HIDTA"); to disrupt and dismantle drug trafficking organizations; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**

**FINANCE/EXECUTIVE COMMITTEE**

**YOLANDA ADREAN, CHAIR**

- 11-O-1249 (12) A **Substitute** Ordinance by **Finance/Executive Committee** amending the 2011 (Intergovernmental Grant Fund) Budget, in the Department of Public Works by adding to anticipations and appropriations the amount of \$77,235.00; and authorizing the Mayor, or his designee, to enter into an Intergovernmental Agreement between the City of Atlanta and the Georgia Department of Transportation for the Roswell Road Clear Zone Facilities Relocation Project; and for other purposes.  
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS**
- 11-O-1251 (13) An Ordinance by **Finance/Executive Committee** authorizing Standard Parking Corporation/Parking Solutions, LLC to provide and the City of Atlanta to accept Ground Transportation Taxi Starter Services at Hartsfield-Jackson Atlanta International Airport on a month to month basis retroactively beginning on July 1, 2011 under the Terms of Agreement FC-6004007831 for a period not to extend beyond October 30, 2011; in an amount not to exceed \$38,976.30 per month, to be charged to and paid from the FDOA Numbers listed; authorizing the City of Atlanta to waive the Competitive Source Selection requirements contained in Section 2-1187 of Article X Procurement and Real Estate Code of the City of Atlanta Code of Ordinances; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**

Council President Pro Tempore Joyce M. Sheperd Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**ORDINANCES FOR SECOND READING (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (CONT'D)**

**YOLANDA ADREAN, CHAIR**

11-O-1267 (14) An Ordinance by **Finance/Executive Committee** to amend Section 146-26 (f), of the Code of Ordinances of the City of Atlanta, so as to change the Special Tax District (Library) Levy; to provide that the Tax Rate established herein shall remain fixed each year until amended or repealed; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;  
0 NAYS**

11-O-1295 (15) A **Substitute** Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to pay certain outstanding and future invoices to Siemens Industry, Inc. on behalf of the Department of Watershed Management for certain work performed related to Security Equipment and Systems Protecting Water and Sewer Facilities in an amount not to exceed \$176,595.64; to waive Article X of the City of Atlanta Code of Ordinances, including Section 2-1190 Small Purchases; all contracted work to be charged to and paid from the FDOA Numbers listed; and for other purposes.  
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE  
OF 10 YEAS; 0 NAYS**

**TRANSPORTATION COMMITTEE**

**C. T. MARTIN, CHAIR**

11-O-1250 (16) An Ordinance by **Transportation Committee** to amend the 2012 [Airport Renewal and Extension Fund (5502), the Airport Passenger Facility Charge Fund (5505), the 2004 Airport PFC Bond Fund (5508), the CONRAC Customer Service FAC Charge Fund (5512), and the Airport 2010B PFC Bond Fund (5521)] Budgets by transferring to and from appropriations a total amount of \$31,189,962.44 for reimbursement of the Renewal and Extension Fund, a total amount of \$6,329,433.76 for reimbursement of the Airport Passenger Facility Charge Fund; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;  
0 NAYS**

Council President Pro Tempore Joyce M. Sheperd Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**ORDINANCES FOR SECOND READING (CONT'D)**

**TRANSPORTATION COMMITTEE (CONT'D)**

**C. T. MARTIN, CHAIR**

- 11-O-1357 (17) An Ordinance by **Councilmembers Michael Julian Bond and Ivory Lee Young, Jr. as Substituted by Transportation Committee** to amend Chapter 150, Article II, Section 150-26 of the City of Atlanta Code of Ordinances so as to expand the area of the English Avenue Neighborhood which is not excluded from the issuance of Temporary Off-Street Parking Permits; and for other purposes.  
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS**

**CITY UTILITIES COMMITTEE**

**NATALYN M. ARCHIBONG, CHAIR**

- 11-O-0740 (18) A **Substitute (#3)** Ordinance by **City Utilities Committee** to amend Chapter I entitled "Administration" of Appendix C entitled "Plumbing Code Amendments" to adopt Section 1300 entitled "Requirements for Rainwater Catchment Systems for Single-Family Residential Potable Use"; to regulate potable rainwater catchment for Single-Family Residential use; to institute safeguards that ensure potable rainwater catchment systems do not interfere with the City of Atlanta Water Supply; to streamline the installation of potable rainwater catchment systems; to amend Chapter 154 "Utilities", Article V. "Sewage Disposal," Division 3 "Rates and Charges," Section 277 "Sewer Service Charge", Subsection (d) to exempt Single-Family Residential rainwater catchment systems from the requirement to install and measure water usage through meters to determine sewer service charges; and for other purposes.

**The above item was removed from the Consent Agenda by request of Councilmember Archibong.**

**SEE CITY UTILITIES COMMITTEE REPORT**

- 11-O-1098 (19) An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2012 (Water and Wastewater Revenue Fund) (5051) Budget, in the amount of \$400,000.00; to transfer funds from the Water and Wastewater Revenue Fund (5051) Reserves for Appropriations and add to appropriations to the Water and Wastewater Revenue (5051) for Extra Help Salary Charges; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS**

Council President Pro Tempore Joyce M. Sheperd Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**ORDINANCES FOR SECOND READING (CONT'D)**

**CITY UTILITIES COMMITTEE (CONT'D)**

**NATALYN M. ARCHIBONG, CHAIR**

- 11-O-1225 (20) A **Substitute** Ordinance by **City Utilities Committee** amending the 2011 (General Government Capital Outlay Fund) Budget in the Department of Public Works by adding to anticipations and appropriations Transportation Improvement Funds in the amount of \$436,000.00; \$68,000.00 for Right-of-Way costs and \$368,000.00 for construction expenses and to authorize the Mayor or his designee to execute a Project Framework Agreement between the City of Atlanta and the Georgia Department of Transportation for the Right-of-Way and Construction Services for the Habersham Road/Habersham Drive Project; and for other purposes.

**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS**

- 11-O-1226 (21) A **Substitute** Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2012 (DWM 2001 Water and Wastewater Bond Fund – 5057) Budget, in the amount of \$8,723,753.00 to transfer funds from the Realigned, Postponed or Discontinued Projects to the Capital Project Reserve for Appropriations; and for other purposes.

**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS**

- 11-O-1227 (22) An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2012 (2009A Water and Wastewater Bond Fund – 5066) Budget, in the amount of \$6,055,020.00 to transfer funds from the Capital Projects Reserve (2009A Water and Wastewater Bond Fund – 5066) for Appropriations; to add to appropriation funds for Cathodic Protection, Sandy Creek Basin Relief, HTP Reservoir Expansion and Riverside Outfall Capacity Relief CIP Capital Projects; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS**

Council President Pro Tempore Joyce M. Sheperd Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**ORDINANCES FOR SECOND READING (CONT'D)**

**CITY UTILITIES COMMITTEE (CONT'D)**

**NATALYN M. ARCHIBONG, CHAIR**

- 11-O-1353 (23)      An Ordinance by **Councilmember C. T. Martin** to waive Chapter 150, Article VIII, Section 150-293(b) of the City of Atlanta Code of Ordinances to allow for the closure of the sidewalks and street located on the block of Peachtree Street from the intersection of 3<sup>rd</sup> Street to the intersection of Ponce de Leon Avenue, during the morning and afternoon rush hours on Thursday, November 17, 2011 for the construction of the Soul Train Awards Red Carpet Area; and other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;  
0 NAYS**

**RESOLUTIONS**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

**JOYCE SHEPERD, CHAIR**

- 11-R-1313 ( 1)      An **Amended** Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to enter into a contract with Asset Property Disposition Solutions, LLC, for FC-5212, Strategic Community Investment Housing Plan for the purpose of providing Comprehensive Parcel Inventory and Analysis Study to assist in the provision of affordable housing on behalf of the City of Atlanta's Department of Planning and Community Development, Office of Housing in an amount not to exceed \$250,000.00; funds to be charged to and paid from Accounts listed below; and for other purposes.  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE  
OF 10 YEAS; 0 NAYS**



Council President Pro Tempore Joyce M. Sheperd Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**  
**IVORY L. YOUNG, JR., CHAIR**

- 11-R-1347 ( 2)      A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Kerry Boozer v. Joseph Sarria, Nicholas Chimino and the City of Atlanta, Civil Action File Number 1:09-CV-2102-AJB, in the United States District Court for the Northern District of Georgia, Atlanta Division, in the total gross amount of \$30,000.00, to be distributed to Plaintiff's Counsel subject to a lien by the Division of Child Support Services; authorizing payment of \$30,000.00 to be charged to and paid from Fund, Center Number, Account and Functional Activity Numbers listed; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS**
- 11-R-1348 ( 3)      An **Amended** Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Jo D. Wilson v. City of Atlanta, Civil Action File Number 2010EV009879G, pending in Fulton County State Court, in the amount of \$405,000.00; authorizing said payment to be charged to and paid from Fund, Center Number, Account and Functional Activity Numbers listed; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS**
- 11-R-1349 ( 4)      An **Amended** Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Martha Lynn Grassie v. City of Atlanta, Civil Action File Number 2010EV009609G, pending in Fulton County State Court, in the amount of \$12,000.00; authorizing said payment to be charged to and paid from Fund, Center Number, Account and Functional Activity Numbers listed; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS**

Council President Pro Tempore Joyce M. Sheperd Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**  
**IVORY L. YOUNG, JR., CHAIR**

11-R-1350 ( 5)      An **Amended** Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Suzy Moran and Vikki Vaden v. City of Atlanta, Civil Action File Number 10EV010130J, pending in Fulton County State Court, in the amount of \$15,000.00; authorizing said payment to be charged to and paid from Fund, Center Number, Account and Functional Activity Numbers listed; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS**

11-R-1352 ( 6)      A Resolution by **Councilmember Ivory L. Young, Jr.** authorizing the Mayor or his designee to enter into a Cooperative Revenue Sharing Agreement with Open Portal Solutions (OPS), utilizing the State of Georgia Contract PSOTOAIR100106 for the purpose of sharing in the revenue generated by OPS as a result of such contract, wherein the State has agreed to provide OPS with vehicle accident or collision reports prepared by law enforcement agencies to be sold online, such revenue to be payable to the City of Atlanta at the rate of \$5.00 per Atlanta Police Department accident report sold; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS**

**FINANCE/EXECUTIVE COMMITTEE**  
**YOLANDA ADREAN, CHAIR**

11-R-1054 ( 7)      A Resolution by Councilmembers **Michael Julian Bond and C. T. Martin as Amended by Finance/Executive Committee** requesting the Departments of Finance, Law and Public Works to review the feasibility of a Bond Referendum to address the Capital, Infrastructure and Mass Transit needs of the City of Atlanta by purposing Pension Reform Savings and that the departments complete the feasibility study within 90 days of the passage of this Resolution; and for other purposes.  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS**

Council President Pro Tempore Joyce M. Sheperd Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (CONT'D)**

**YOLANDA ADREAN, CHAIR**

- 11-R-1325 ( 8)      A Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into a Cooperative Agreement with CDW Government, LLC utilizing General Services Administration Contract No. GS-35-F-0195J for the purchase of 350 Lenovo Thinkcentre M91 Desktops and 100 Lenovo Thinkpad T420 Laptops on behalf of the Department of Watershed Management in an amount not to exceed \$650,000.00; all contracted work will be charged to and paid from the FDOA Numbers listed; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEARS;**  
**0 NAYS**
- 11-R-1326 ( 9)      A Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et seq. of the City of Atlanta Code of Ordinances, with Cannon Termite and Pest Control, Inc. utilizing the Atlanta Independent School Systems a/k/a the Atlanta Public Schools Contract pursuant to Solicitation Number 072009-01 on behalf of Executive Offices-Offices of Enterprise Assets Management for Pest Control Service for City Property; in an amount not to exceed \$178,596.33; all contracted work to be charged to and paid from the FDOA Numbers listed; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEARS;**  
**0 NAYS**
- 11-R-1327 (10)      A Resolution by **Finance/Executive Committee** authorizing the Mayor to accept a donation of Electric Vehicle Supply Equipment valued at \$4,000.00 from General Electric Energy Industrial Solutions; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEARS;**  
**0 NAYS**
- 11-R-1356 (11)      A Resolution by **Councilmembers Yolanda Adrean and Aaron Watson** authorizing the Mayor or his designee to enter into an Agreement between the City of Atlanta ("City") and the Atlanta History Center for the loan of the City's Archived Mayoral Records from the period spanning from 1961 through 1971, to the Atlanta History Center for the History Center's review, preservation and display to the public; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEARS;**  
**0 NAYS**

Council President Pro Tempore Joyce M. Sheperd Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**TRANSPORTATION COMMITTEE**

**C. T. MARTIN, CHAIR**

11-R-1317 (12) A Resolution by **Transportation Committee** authorizing the Mayor to execute an Airport Use License Agreement with Southwest Airlines Company, for operations at Hartsfield-Jackson Atlanta International Airport; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**

11-R-1318 (13) A Resolution by **Transportation Committee** authorizing the Mayor, or his designee, to enter into Amendment Agreement Number 9 with Wright-Brown Electric Company, Inc., for FC-3006008004, Installation, Relocation, Removal, and/or Revisions of Traffic Signals, Reversible Lane Signs, and/or Street Lights and Associated Hardware, for the Relocation of Traffic Equipment and Utilities within the Roswell Road Clear Zone for Project Number CSSTP-0007-00(072), Project Identification Number 0007072; Safety Action Plan Utility Relocations on behalf of the Department of Public Works, in an amount not to exceed \$77,235.00; all contracted work shall be charged to and paid from the PTAE0 and FDOA Numbers listed; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**

**CITY UTILITIES COMMITTEE**

**NATALYN M. ARCHIBONG, CHAIR**

11-R-1012 (14) A **Substitute (#2)** Resolution by **City Utilities Committee** authorizing the Department of Watershed Management to approve a Task Order to BGR, JV, for FC-4906C, Annual Contract for Architectural and Engineering Services, Land Support Project, Easement Research and Acquisition Services 1-ER, on behalf of the Department of Watershed Management, in an amount not to exceed \$99,476.00; all contracted work to be charged to and paid from Fund, Department Organization and Account and PTAE0 Numbers listed; and for other purposes.  
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE**  
**OF 10 YEAS; 0 NAYS**

Council President Pro Tempore Joyce M. Sheperd Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**CITY UTILITIES COMMITTEE (CONT'D)**

**NATALYN M. ARCHIBONG, CHAIR**

- 11-R-1304 (15) A Resolution by **City Utilities Committee** authorizing the Mayor or his designee to enter into a Transportation Improvement Agreement between the City of Atlanta and Atlanta BeltLine, Inc. ("ABI"), for ABI to provide design and construction services for the Edgewood Avenue Bridge Project; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;  
0 NAYS**
- 11-R-1305 (16) A Resolution by **City Utilities Committee** authorizing the Mayor or his designee to issue a Task Order with Atlanta Services Group, a Joint Venture, for FC-4906B, Citywide Contract for Architectural and Engineering Design Services, for the D. L. Hollowell and Moreland Avenue LCI Projects on behalf of the Department of Public Works, in an amount not exceed \$1,017,131.00; with all contracted work to be charged to and paid from the Various Fund, Department and Account Numbers and PTAE0 Numbers listed; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;  
0 NAYS**
- 11-R-1306 (17) An **Amended** Resolution by **City Utilities Committee** authorizing the Mayor to enter into Amendment Agreement No., 1, for FC-4408, Annual Contract for Asbestos Abatement Services with DPC General Contractors, Inc. on behalf of the Department of Watershed Management in an amount not to exceed \$300,000.00; that all contracted work shall be charged to and paid from Fund, Department and Account Numbers and PTAE0 Number listed; and for other purposes.  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE  
OF 10 YEAS; 0 NAYS**
- 11-R-1307 (18) A Resolution by **City Utilities Committee** to call for a referendum to re-impose a special one percent sales and use tax to fund water and sewer projects and costs, subject to referendum approval; to regulate and provide for the calling of an election and to call an election to determine the re-imposition or non-re-imposition of the sales and use tax; to specify the aggregate maximum cost of such projects and maintenance operation costs to be funded by the sales and use tax; to specify the maximum period of time the sales and use tax will be re-imposed; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;  
0 NAYS**

Council President Pro Tempore Joyce M. Sheperd Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**CITY UTILITIES COMMITTEE (CONT'D)**

**NATALYN M. ARCHIBONG, CHAIR**

11-R-1308 (19) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into Renewal No. 1 with Kemi Construction Company, Inc., for FC-5100, Annual Contract for Asphaltic Concrete Pavement Milling and Resurfacing, on behalf of the Department of Watershed Management for Time-Only; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**

11-R-1309 (20) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into Renewal Agreement No. 2, for FC-4926, Annual Contract for Streambank Stabilization and Bioengineering Systems, with Site Engineering, Inc., on behalf of the Department of Watershed Management, in an amount not to exceed \$100,000.00; all contracted work shall be charged to and paid from Fund, Department and Account Numbers listed; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**

11-R-1310 (21) A Resolution by **City Utilities Committee** to amend and accept the Atlanta-Fulton County Hazard Mitigation Plan prepared by the Atlanta-Fulton County Emergency Management Agency with the purpose to ensure mitigation and preparedness from Natural and Technological Hazards which may affect the City of Atlanta; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**IVORY L. YOUNG, JR., CHAIR**

**Claims with favorable recommendations:**

11-R-1328 ( 1) Claim of **Rosehall Investments, LLC (DPRCA/04)**, for property damages alleged to have been sustained from a tree that fell on a house on September 24, 2010 at 1554 Pineview Terrace, SW.  
**\$20,000.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**

Council President Pro Tempore Joyce M. Sheperd Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS/CLAIMS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**  
**IVORY L. YOUNG, JR., CHAIR**

**Claims with favorable recommendations: (Cont'd)**

- 11-R-1329 ( 2)      Claim of **AAA Auto Club South, as subrogee of Dawn Pergakes (DWM/07)**, for vehicular damages alleged to have been sustained from an automobile accident on January 20, 2011 at 1411 May Avenue and Dorr Avenue. **\$3,170.41**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**
- 11-R-1330 ( 3)      Claim of **Tunica Walker (DWM/NA)**, for vehicular damages alleged to have been sustained from an automobile accident on July 27, 2011 at 805 Selig Drive. **\$838.71**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**
- 11-R-1331 ( 4)      Claim of **Jeannette Smith (DPW/05)**, for vehicular damages alleged to have been sustained as a result of driving over a pothole on March 10, 2011 at University Avenue and Coleman Street. **\$509.82**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**

**Claims with unfavorable recommendations:**

- 11-R-1332 ( 5)      Claim of **GEICO General Insurance Company, as subrogee of Andrea Sanders (NA/NA)**, for damages alleged to have been sustained for an unspecified event on May 14, 2011 at an unspecified location.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**
- 11-R-1333 ( 6)      Claim of **Jeannette Smith (NA/NA)**, for damages alleged to have been sustained as a result of driving over a damaged manhole on April 15, 2011 at Stanton Road at Headland Drive.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**
- 11-R-1334 ( 7)      Claim of **Maria M. Jimerson, through her attorney, L. Chris Stewart c/o Morgan and Morgan (NA/10)**, for bodily injury alleged to have been sustained from slipping and falling on a wet floor on April 12, 2010 at 301 Peyton Road.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**

Council President Pro Tempore Joyce M. Sheperd Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS/CLAIMS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**  
**IVORY L. YOUNG, JR., CHAIR**

**Claims with unfavorable recommendations: (Cont'd)**

- 11-R-1335 ( 8)      Claim of **Shari Hall (AFR/06)**, for damages alleged to have been sustained as a result of an emergency response incident on April 3, 2011 at 553 Boulevard Place, NE.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 10 YEARS;**  
**0 NAYS**
- 11-R-1336 ( 9)      Claim of **Brian J. Fankhauser, through his attorney, Jeffrey S. Kowalski, Montlick & Associates, P. C. (APD/02)**, for damages alleged to have been sustained from an automobile accident on April 11, 2009 at I-20 West bound and Langhorn Street, SW.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 10 YEARS;**  
**0 NAYS**
- 11-R-1337 (10)      Claim of **Virginia One Development, LLC, through its attorneys, Chamberlain, Hrdlicka, White, Williams and Martin (DOA/NA)**, for damages alleged to have been sustained when the City refused to acquire properties that were subject to the City's Noise Compliance Program on an unspecified date at 3001 Roosevelt Highway and 4775 Spring Street, College Park, Georgia.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 10 YEARS;**  
**0 NAYS**
- 11-R-1338 (11)      Claim of **David Brooks, as administrator of the estate of Annie Brooks, through his attorney, John Michael Brown, P.C. (DOC/02)**, for damages alleged to have been sustained when the city failed to administer medicine necessary to treat a condition on June 29, 2009 at 254 Peachtree Street.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 10 YEARS;**  
**0 NAYS**
- 11-R-1339 (12)      Claim of **Ella Johnson, through her attorney, Ella Hughes (DPW/03)**, for damages alleged to have been sustained as a result of a vehicular accident on December 28, 2010 at Pryor Street at Ralph David Abernathy Boulevard.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 10 YEARS;**  
**0 NAYS**



Council President Pro Tempore Joyce M. Sheperd Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS/CLAIMS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**  
**IVORY L. YOUNG, JR., CHAIR**

**Claims with unfavorable recommendations: (Cont'd)**

- 11-R-1340 (13) Claim of **Ella Johnson, through her attorney, Ella Hughes (DPW/03)**, for damages alleged to have been sustained as a result of a vehicular accident on December 28, 2010 at Pryor Street at Ralph David Abernathy Boulevard.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**
- 11-R-1341 (14) Claim of **Shateeshia Cain (DPW/04)**, for vehicular damages alleged to have been sustained after striking a construction sign that was left in the road on June 8, 2011 at Murphy Avenue and Tift Street.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**
- 11-R-1342 (15) Claim of **State Farm Insurance Company, as subrogee of Warren K. Cordell (DPW/08)**, for damages alleged to have been sustained as the result of a vehicle accident on December 16, 2010 at Ardmore Circle.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**
- 11-R-1343 (16) Claim of **Antwann D. Brown (DWM/03)**, for vehicular damages alleged to have been sustained from striking a storm sewer catch basin on May 3, 2011 at Larkin and Roach Streets.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**
- 11-R-1344 (17) Claim of **W. Rand McMillan (DWM/05)**, for property damages alleged to have been sustained from a sewage backup on May 12, 2010 at 153 Eleanor Street, SE.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**

# **CONSENT AGENDA SECTION II**

Council President Pro Tempore Joyce M. Sheperd Presided

**CONSENT AGENDA**

**SECTION II**

**ORDINANCES FOR FIRST READING**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**  
**JOYCE SHEPERD, CHAIR**

**All items on Consent Agenda Section II (01 through 05 as follows) were Referred to the appropriate committees as a collective vote.**

- 11-O-1312 ( 1)      An Ordinance by **Community Development/Human Resources Committee** to repeal Section 8-2076.1 of the Land Development Code, Part III of the City of Atlanta Code of Ordinances, entitled "Demolition Permit Procedures for Residential Structures and Ancillary Buildings"; and for other purposes.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

**TRANSPORTATION COMMITTEE**  
**C. T. MARTIN, CHAIR**

- 11-O-1314 ( 2)      An Ordinance by **Transportation Committee** authorizing the Mayor, or his designee, to remove Time Limit Parking from both sides of Hurt Street, NE between Euclid Avenue and DeKalb Avenue; and for other purposes.  
**REFERRED TO TRANSPORTATION COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 11-O-1315 ( 3)      An Ordinance by **Transportation Committee** authorizing the Mayor, or his designee, to install Traffic Signals at the intersections of Simpson Street and Spring Street; Simpson Street and Williams Street; and Simpson Street and Centennial Olympic Park Drive; and for other purposes.  
**REFERRED TO TRANSPORTATION COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 11-O-1316 ( 4)      An Ordinance by **Transportation Committee** authorizing the Mayor, or his designee, to make the intersection of Bellemeade Avenue, NW and the Howell Mill Square Shopping Center Driveway an All-Way Stop Controlled Intersection; and for other purposes.  
**REFERRED TO TRANSPORTATION COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

Council President Pro Tempore Joyce M. Sheperd Presided

**CONSENT AGENDA (CONT'D)**

**SECTION II (CONT'D)**

**ORDINANCES FOR FIRST READING (CONT'D)**

**CITY UTILITIES COMMITTEE (CONT'D)**

**NATALYN M. ARCHIBONG, CHAIR**

- 11-O-1311 ( 5)      An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2012 (Water and Wastewater Renewal and Extension Fund) (5052) Budget in the amount of \$237,495.00 to transfer funds from the Water and Wastewater Renewal and Extension Fund Reserve for Appropriations and add to appropriations for Global Positioning System Units (GPS); and for other purposes.

**REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

## **COMMITTEE REPORTS**

Acting Council President Pro Tempore Felicia A. Moore Presided

**COMMITTEE REPORTS**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (1)**  
**JOYCE SHEPERD, CHAIR**

Attendance at the September 13, 2011 meeting of the Community Development/Human Resources Committee was as follows:

Present: Councilmembers Sheperd (Chair), Wan, Hall, Young, Archibong and Bond

Absent: Councilmember Winslow

**ITEM REMOVED FROM CONSENT AGENDA**

11-O-1241 ( 1) An Ordinance by **Community Development/Human Resources** Committee to change the effective date for the creation of the Manor at Scott's Crossing Housing Urban Enterprise Zone (Phase 1), created pursuant to Ordinance 10-O-0499, from January 1, 2011 to January 1, 2012; and for other purposes. **(Public Hearing held 9/12/11)**

**The above item was removed from the Consent Agenda by request of Councilmember Sheperd. Ms. Sheperd sounded the caption to Ordinance 11-O-1241 and made a Substitute Motion to Refer the item back to the Community Development/Human Resources Committee. It was properly Seconded and CARRIED by a roll call vote of 11 yeas; 0 nays.**

**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

Council President Pro Tempore Joyce M. Sheperd Presided

**COMMITTEE REPORTS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (1)**  
**IVORY L. YOUNG, JR., CHAIR**

Attendance at the September 13, 2011 meeting of the Public Safety and Legal Administration Committee was as follows:

Present: Councilmembers Young (Chair), Martin, Bond, Bottoms, Sheperd, Wan  
Adrean

Absent: None

**ORDINANCE FOR SECOND READING**

11-O-1355 ( 1) An Ordinance by **Councilmembers Alex Wan and Carla Smith** to waive the provisions of Chapter 10, Article II, Section 10-209 (c) and (d) of the Code of Ordinances of the City of Atlanta, Georgia so as to modify the hours of operation on Monday, October 10, 2011 only , for all licensed establishments authorized to sell alcoholic beverages for on premises consumption; and for other purposes.  
**ADOPTED BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS**

**RESOLUTION**

**Claim with unfavorable recommendation:**

11-R-1345 ( 1) Claim of **Rhonda Levitt (DWM/11)**, for damages alleged to have been sustained as a result of a sanitary sewer backup on April 27, 2011 at 3000 Continental Colony Parkway, SW, Apartment F-150.

**Note: Councilmember Bottoms stated for the record her abstention to Resolution 11-R-1345 was due to a potential conflict of interest (she is opposing Council in another litigation regarding claimant).**

**ADVERSED BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS; 1 ABSTENTION**

Council President Pro Tempore Joyce M. Sheperd Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (1)**  
**YOLANDA ADREAN, CHAIR**

Attendance at the September 14, 2011 meeting of the Finance/Executive Committee was as follows:

Present: Councilmembers Adrean (Chair), Shook, Martin, Moore, Watson and Wan

Absent: Councilmember Willis

**ORDINANCES FOR SECOND READING**

11-O-1252 ( 1) A **Substitute** Ordinance by **Finance/Executive Committee** authorizing the City to purchase undeveloped land east of Hartsfield-Jackson Atlanta International Airport from Airport Station, LLC, for Runway Protection and Future Airport Development; authorizing a methodology for a transaction to terminate certain leasehold interests which are to be a part of an exchange or sale of City real property interests in the immediate area of the purchase tract; for land purchase not to exceed 60 acres in an amount not to exceed \$32,437,500.00; and to waive City of Atlanta Code Sections 2-1543 and 2-1571; to be charged to and paid from the FDOA Numbers listed; and for other purposes.

**Note: Councilmember Hall stated for the record his abstention to Ordinance 11-O-1252 was due to a potential conflict of interest (previous employment with Mastec, abstained in abundance of caution).**

**ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS; 1 ABSTENTION**

11-O-1301 (2) An Ordinance by **Finance/Executive Committee** to allocate funds remaining based on balancing the FY12 Budget to the FDOA Numbers listed, in the amount of \$1,061,015.87; to provide funding for unfunded personnel positions; and for other purposes.  
**ADOPTED BY A ROLL CALL VOTE OF 9 YEAS; 3 NAYS**

**Ordinances (03 through 04 as follows) were taken as a collective vote.**

11-O-1359 ( 3) An Ordinance by **Councilmember H. Lamar Willis** amending the Fiscal Year 2012 (Airport Revenue Fund) Budget by transferring to and from appropriations in the amount of \$52,000.00 to provide the balance of funding required from the Airport Revenue Fund for the purposes of providing the Department of Aviation's allocable share in the Financial Education Services Program related to the City's New Retirement Plan; and for other purposes.  
**ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 1 NAY**



Council President Pro Tempore Joyce M. Sheperd Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (2)**  
**YOLANDA ADREAN, CHAIR**

**ORDINANCES FOR SECOND READING (CONT'D)**

- 11-O-1360 ( 4)      An Ordinance by **Councilmember H. Lamar Willis** authorizing the Chief Financial Officer to amend the FY 2012 Water & Wastewater Revenue Fund (5051) Budget by transferring to and from appropriations the amount of \$148,000.00 for Financial Education Services related to the City's New Retirement Plan; and for other purposes.

**ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 1 NAY**

**ORDINANCES FOR FIRST READING**

**First Read Items (01 through 07 as follows) were Referred to the Finance/Executive Committee as a collective vote.**

- 11-O-1319 ( 1)      An Ordinance by **Finance/Executive Committee** authorizing the Mayor or his designee, on behalf of the City of Atlanta, to waive the requirements of the City Code Section 2-1541(D) of the Procurement and Real Estate Code, to accept a donation from Princeton Lake Apartment, LLC of approximately 23.045 acres of greenspace located on Redwine Road for the purpose of creating a multi-use trail and expanding North Camp Creek Parkway Nature Preserve; and for other purposes.

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS**

- 11-O-1320 ( 2)      An Ordinance by **Finance/Executive Committee** authorizing the Mayor to waive Article X, Procurement and Real Estate Code, of the Code of Ordinances of the City of Atlanta; to authorize the Chief Financial Officer to remit payment of all outstanding invoices to Johnson Controls, Inc., in an amount not to exceed \$103,411.88 with all invoices being paid from the FDOA Numbers listed; and for other purposes.

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS**

- 11-O-1321 ( 3)      An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to amend the FY 2012 (Parks Facilities Revenue Fund) Budget by adding to anticipations and appropriations Project Fund Proceeds in the total amount of \$500,000.00 from the City Recreation Project Account of the Atlanta Fulton County Recreation Authority Revenue Refunding and Improvement Bonds (Downtown Arena Private Improvements Project) Taxable Series 2010; and for other purposes.

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS**

Council President Pro Tempore Joyce M. Sheperd Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (3)**  
**YOLANDA ADREAN, CHAIR**

**ORDINANCES FOR FIRST READING (CONT'D)**

- 11-O-1322 ( 4)      An Ordinance by **Finance/Executive Committee** to correct Ordinance Number 10-O-1860 adopted by Atlanta City Council on November 15, 2010, and approved as per City Charter Section 2-403 on November 24, 2010 correcting the term of the IBM Hardware Maintenance and Support Services Agreement; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS**
- 11-O-1323 ( 5)      An Ordinance by **Finance/Executive Committee** to amend Chapter XXX, Article XXX, Section XXX-XX, of the City of Atlanta Code of Ordinances for the Imposition of 9-1-1 Charges; to impose a 9-1-1 Charge on Prepaid Wireless Service at the retail point of sale; to set a rate per retail transaction; to deposit any such charge amount received in the Emergency Telephone Assistance Fund maintained by the county or municipality; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS**
- 11-O-1324 ( 6)      An Ordinance by **Finance/Executive Committee** authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code of the City of Atlanta Code of Ordinances, to authorize the Mayor, on behalf of the City of Atlanta ("City"), to negotiate for and to purchase approximately 0.114 acre of property located at 94 Flat Shoals Avenue from the Conservation Fund or current land owner ("The Property"), for the purpose of expanding the existing Lang Carson Park ("Park"), in an amount not to exceed \$230,000.00. The City's purchase price, closing costs, due diligence, demolition and development costs shall be paid from PTAE0 and FDOA Numbers listed; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS**

Council President Pro Tempore Joyce M. Sheperd Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (4)**  
**YOLANDA ADREAN, CHAIR**

**ORDINANCES FOR FIRST READING (CONT'D)**

11-O-1346 ( 7)      An Ordinance by **Finance/Executive Committee** authorizing the City of Atlanta to waive the Competitive Source Selection Requirements contained in Section 2-1187 of Article X, Procurement and Real Estate Code of the City of Atlanta Code of Ordinances; authorizing A-Action, Inc. to provide and the City of Atlanta to accept City-wide Janitorial Services for Janitorial Service at various City Facilities on a month-to-month basis for up to six (6) months beginning on September 8, 2011, under the terms of Contract FC-7664-04A, on behalf of the Executive Offices-Offices of Enterprise Assets Management, the Department of Police and the Department of Watershed Management-Construction Management/Engineering Services in an amount not to exceed \$522,947.57; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS**

11-O-1365 ( 8)      An Ordinance by **Finance/Executive Committee** authorizing to amend Chapter 114 Personnel, Article "IV", Classification Plan of the Code of Ordinances, City of Atlanta, Georgia, so as to provide for certain position abolishments, creations, reclassifications, class creations, above entry authorization, salary grade amendments, position transfers; and other personnel actions in line with the 2012 Budget; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 1 NAY**

Council President Ceasar C. Mitchell Presided

**ITEM REMOVED FROM HELD STATUS**

11-R-1055 (30)      A Resolution be **Councilmember Natalyn Mosby Archibong** requesting that a Task Force be created to review and report back to the mayor and City Council on the Proliferation of Other Post Employment Benefits (OPEB) Cost for City of Atlanta, Its employees and other similarly situated groups; and for other purposes. **(Held 7/13/11 for additional information.)**

**Councilmember Archibong made a Motion to remove Resolution 11-R-1055 from Held status. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; 0 nays. The item was then before Council. Following, Councilmember Archibong offered Amendment #1/#1 which listed the 3**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (5)**  
**YOLANDA ADREAN, CHAIR**

**ITEM REMOVED FROM HELD STATUS (CONT'D)**

11-R-1055 (30)  
(Cont'd)

A Resolution be **Councilmember Natalyn Mosby Archibong** requesting that a Task Force be created to review and report back to the mayor and City Council on the Proliferation of Other Post Employment Benefits (OPEB) Cost for City of Atlanta, Its employees and other similarly situated groups; and for other purposes. (Held 7/13/11 for additional information.)

**pension boards, Mayor, Chief Financial Officer and City Attorney as members of the task force. It was Seconded by Councilmember Hall and discussion continued, during which, Chairperson Adrean offered a Friendly Amendment to include the Chair of the Finance/Executive Committee or her designee as a member of the task force as well. Accepted by Councilmember Archibong, Amendment #1/#1 CARRIED by a roll call vote of 12 yeas; 0 nays. Subsequently, Councilmember Archibong made a Motion to Adopt as Amended. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; 0 nays. Later during the meeting, Councilmember Archibong made a Motion to Reconsider the resolution. It was properly Seconded and CARRIED by a roll call vote of 11 yeas; 0 nays. Resolution 11-R-1055 was before Council. Councilmember Archibong then offered a Friendly Amendment to her Amendment #1/#1 to allow for the Council President or his designee be a member of the task force. It was properly Seconded and CARRIED by a roll call vote of 11 yeas; 0 nays. Following, Councilmember Archibong made a Motion to Adopt as Amended. It was properly Seconded and CARRIED by a roll call vote of 10 yeas; 0 nays.**

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**ZONING COMMITTEE (1)**

**AARON WATSON, CHAIR**

Attendance at the September 14, 2011 meeting of the Zoning Committee was as follows:

Present: Councilmembers Watson (Chair), Smith, Shook and Bottoms

Absent: Councilmembers Winslow, Young and Hall

**ORDINANCES FOR SECOND READING**

**Ordinances (01 through 03 as follows) were taken as a collective vote.**

10-O-0018 ( 1)  
Z-08-73      An Ordinance by **Councilmember Aaron Watson as Substituted and Amended by Zoning Committee** to rezone from the R-4 (Single Family Residential) and NC-2 (Neighborhood Commercial) Districts to the NC-2 (Neighborhood Commercial) District, properties located at **1146 Portland Street, SE, 1152 Portland Street, SE, 1131 Glenwood Avenue, SE, 1137 Glenwood Avenue, SE, 525/527 Moreland Avenue, SE, 529 Moreland Avenue, SE, 535 Moreland Avenue, SE and 537 Moreland Avenue, SE**, fronting approximately 250 feet on the north side of Portland Avenue, approximately 300 feet on the west side of Moreland Avenue and approximately 250 feet on the south side of Glenwood Avenue. **(Substituted and held 1/13/10 at the request of the District Councilmember)**  
**FILED SUBSTITUTE AS AMENDED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

10-O-0026 ( 2)  
Z-09-29      An Ordinance by **Councilmember Aaron Watson** amending certain sections of Chapter 20C of the Code of Ordinances which governs Martin Luther King, Jr. Landmark District to stimulate growth and investments in the District; and for other purposes.  
**FILED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**ZONING COMMITTEE (2)**

**AARON WATSON, CHAIR**

**ORDINANCES FOR SECOND READING (CONT'D)**

10-O-1473 ( 3)  
U-10-24                      An **Amended** Ordinance by **Zoning Committee** granting a Special Use Permit under the provisions of Section 16-06.005(l)(g) for a Personal Care Home, property located at **2695 Dodson Terrace, SW**, fronting 75 feet on the north side of Dodson Terrace and approximately 480 feet west of the intersection of Dodson Terrace and Dodson Drive. **(Held 9/29/10) (Held at the request of the District Councilmember)**

Depth:                      Varies  
Area:                        Approximately 0.2894 Acre  
Land Lot:                  199, 14<sup>th</sup> District, Fulton County, Georgia  
Owner:                      Nnenna M. Ekeke  
Applicant:                  Nnenna M. Ekeke  
NPU-R                        Council District 11

**FILED AS AMENDED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

11-O-1280 ( 4)  
U-73-14/  
(TR10-003)                      An Ordinance by **Zoning Committee** to amend Ordinance U-73-14, as adopted by the Board of Alderman on May 21, 1973 and approved by the Mayor on May 25, 1973 for the purposes of approving a Transfer of Ownership for a Special Use Permit for a Daycare Center for property located at **1039 Camilla Street, SW**; and for other purposes.

**ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**TRANSPORTATION COMMITTEE (1)**

**C. T. MARTIN, CHAIR**

Attendance at the September 14, 2011 meeting of the Transportation Committee was as follows:

Present: Councilmembers Martin (Chair), Moore, Bottoms, Smith, Bond and Willis

Absent: None

**ORDINANCE FOR SECOND READING**

11-O-1253 ( 1) An Ordinance by **Transportation Committee** amending the Fiscal Year 2012 (Airport Renewal & Extension Fund) Budget by transferring to and from appropriations in the amount of \$11,500,000.00 to provide adequate funding for acquisition of approximately 60 acres of land adjacent to Hartsfield-Jackson Atlanta International Airport from Airport Station, LLC for runway protection and future airport development; and for other purposes.  
**ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**COMMITTEE ON COUNCIL (1)**

**FELICIA A. MOORE, CHAIR**

Attendance at the September 19, 2011 meeting of the Committee on Council was as follows:

Present: Councilmembers Moore (Chair), Adrean, Sheperd, Hall and Archibong

Absent: Councilmember Winslow

**COMMUNICATIONS**

- 11-C-0702 ( 1) A Communication from **Elizabeth B. Coyle, Chair, BeltLine Network, Inc., to President Ceasar C. Mitchell and Members of Council**, submitting their re-appointment of Mr. Gerald Scott to the BeltLine Tax Allocation District (TAD) Advisory Committee. This re-appointment is for a term of two (2) years, retroactive to January 01, 2011, scheduled to begin on the date of Council confirmation. **(Recommendation to file by the Community Development/Human Resources Committee 9/13/11)**  
**FILED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

**Communications (02 through 04 as follows) were taken as a collective vote.**

- 11-C-1159 ( 2) A Communication from **Howard W. Grant, Ph.D., Atlanta Board of Education, to Municipal Clerk Rhonda Dauphin Johnson**, appointing Ms. Yolanda K. Johnson to serve as the Board's representative on the BeltLine Tax Allocation District (TAD) Affordable Housing Advisory Board. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Favorable by Community Development/Human Resources Committee 9/13/11)**  
**CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 11-C-1302 ( 3) A Communication by **Councilmembers Joyce M. Sheperd, District 12; Keisha Lance Bottoms, District 11; C. T. Martin, District 10; Felicia A. Moore, District 9 and H. Lamar Willis, Post 3 At-Large** appointing Ms. Renee Bailey to serve as a member of the Alcohol Technical Advisory Group II. This appointment is scheduled to begin on the date of Council confirmation. **(Favorable by Public Safety & Legal Administration Committee 9/13/11.)**  
**CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**



Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**COMMITTEE ON COUNCIL (2)**

**FELICIA A. MOORE, CHAIR**

**COMMUNICATIONS (CONT'D)**

- 11-C-1303 ( 4)      A Communication by **Mayor Kasim Reed** appointing Ms. Melinda Miller-Thrasher, M.D. to serve as a member of the Fulton County Board of Health on behalf of the City of Atlanta. This appointment is for a term of (4) four years, scheduled to begin on the date of Council confirmation.

**CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

**ORDINANCE FOR FIRST READING**

- 11-O-1366 ( 1)      An Ordinance by **Committee on Council** to authorize the Mayor to enter into a contract with Fulton County for the purpose of submitting the question of Sunday Package Sales by retailers of malt beverages, wine, and distilled spirits to the electors of the City of Atlanta for approval or rejection for the 2011 Special Election authorized to be held on November 8, 2011 or such other authorized date; to authorize the payment of expenses incurred under the contract in an amount not to exceed \$17,050.00; to appoint the Fulton County Board of Registration and Elections, as Municipal Election Superintendent for the purpose of conducting said Special Election, as Absentee Ballot Clerk and as Municipal Registrar; and for other purposes.

**REFERRED TO COMMITTEE ON COUNCIL BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

**RESOLUTION**

- 11-R-1367 ( 1)      A Resolution by **Committee on Council** appointing the City of Atlanta Board of Education's nominee, Ms. Brenda Muhammad, as the City Council appointee to the Board of Directors of the Atlanta Development Authority. This appointment is for a term of four (4) years scheduled to begin on the date of approval of this resolution; and for other purposes.

**Chairperson Moore sounded the caption to Resolution 11-R-1367 and made a Motion to waive Code Section 2-1852 in order to consider the resolution. It was properly Seconded and CARRIED by a roll call vote of 11 yeas; 0 nays. Following, Ms. Moore made a Motion to Adopt 11-R-1367. It was Seconded by Councilmember Sheperd and the Motion CARRIED by a roll call vote of 11 yeas; 0 nays.**

**ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**CITY UTILITIES COMMITTEE (1)**

**NATALYN M. ARCHIBONG, CHAIR**

Attendance at the September 13, 2011 meeting of the City Utilities Committee was as follows:

Present: Councilmembers Archibong (Chair), Martin, Adrean, Shook, Smith and Watson

Absent: Councilmember Willis

**RESOLUTION**

11-R-1013 ( 1) A **Substitute (#2)** Resolution by **City Utilities Committee** authorizing the Mayor to issue a Task Order to Arcadis/Brindley Pieters & Associates, Joint Venture, for FC-4906A, City-Wide Annual Contract for Architectural and Engineering Services - Land Support Project, Easement Research and Acquisition Services 2-ER, on behalf of the Department of Watershed Management, in an amount not to exceed \$198,952.00; all work will be charged to and paid from Fund, Department Organization and Account and PTAE0 Numbers listed; and for other purposes.

**Note: Councilmember Adrean stated for the record her abstention to Resolution 11-R-1013 was due to a potential conflict of interest (family member works for Arcadis).**

**ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS; 1 ABSTENTION**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**CITY UTILITIES COMMITTEE (2)**

**NATALYN M. ARCHIBONG, CHAIR**

**ITEM REMOVED FROM CONSENT AGENDA**

11-O-0740 ( 1)      A **Substitute (#3)** Ordinance by **City Utilities Committee** to amend Chapter I entitled "Administration" of Appendix C entitled "Plumbing Code Amendments" to adopt Section 1300 entitled "Requirements for Rainwater Catchment Systems for Single-Family Residential Potable Use"; to regulate potable rainwater catchment for Single-Family Residential use; to institute safeguards that ensure potable rainwater catchment systems do not interfere with the City of Atlanta Water Supply; to streamline the installation of potable rainwater catchment systems; to amend Chapter 154 "Utilities", Article V. " Sewage Disposal," Division 3 "Rates and Charges," Section 277 "Sewer Service Charge", Subsection (d) to exempt Single-Family Residential rainwater catchment systems from the requirement to install and measure water usage through meters to determine sewer service charges; and for other purposes.

**The above item was removed from the Consent Agenda by request of Councilmember Archibong. Following, Ms. Archibong made a Motion to bring forth a Substitute. It was properly Seconded and the Motion CARRIED by a roll call vote of 11 yeas; 0 nays. The Substitute was before Council. Chairperson Archibong then sounded the caption to the Substitute and made a Motion to Adopt. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; 0 nays.**

**ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 12 YEAS; 0**

## **PERSONAL PAPERS**

Council President Ceasar C. Mitchell Presided

**PERSONAL PAPERS**

**RESOLUTIONS/ADOPTED**

Council President Pro Tempore Joyce M. Sheperd Presided

- 11-R-1404 ( 1)      A Resolution by **Councilmember Alex Wan** to authorize the Mayor, or his designee, to enter into a contract with Fulton County for the purpose of submitting the question of Sunday package sales by retailers of malt beverages, wine, and distilled spirits to the electors of the City of Atlanta for approval or rejection for the 2011 Special Election authorized to be held on November 8, 2011 or such other authorized date; to authorize the payment of expenses incurred under the contract in an amount not to exceed \$17,050.00; to appoint the Fulton County Board of Registration and Elections, as Municipal Election Superintendent for the purpose of conducting said Special Election, as Absentee Ballot Clerk and as Municipal Registrar; and for other purposes.

**Councilmember Wan sounded the caption to Resolution 11-R-1404 and made a Motion to Adopt. Following, Municipal Clerk Rhonda Dauphin Johnson explained the urgency of the resolution. After which, an extensive discussion ensued, during which, Councilmember Martin offered Amendment #1/#1 by changing the date wherever it appears in the legislation. It was properly Seconded and discussion continued. Thereafter, Martin Amendment #1/#1 FAILED by a roll call vote of 1 yea; 9 nays. Councilmember Martin then offered Amendment #2/#2 to delete Section #6 in its entirety. It was Seconded by Councilmember Bottoms and Martin Amendment #2/#2 FAILED as well by a roll call vote of 1 yea; 9 nays. Councilmember Wan subsequently, made a Motion to Adopt. It was Seconded by Councilmember Smith and the Motion CARRIED by a roll call vote of 9 yeas; 1 Nay.**

**After the vote, Councilmember Wan made a Motion to send 11-R-1404 to the Mayor's Office immediately for his signature. It was Seconded by Councilmember Smith and the Motion CARRIED by a roll call vote of 9 yeas; 1 nay.**

**ADOPTED BY A ROLL CALL VOTE OF 9 YEAS; 1 NAY**

Council President Ceasar C. Mitchell Presided

**PERSONAL PAPERS (CONT'D)**

**RESOLUTIONS/ADOPTED (CONT'D)**

- 11-R-1407 ( 2)      A Resolution by **Councilmember Michael Julian Bond** to amend Resolution 11-R-0936 adopted June 20, 2011 and approved June 29, 2011 which established "The City of Atlanta Alcohol Technical Advisory Group II (ATAG II) for the purpose of performing a complete and comprehensive review of the City of Atlanta's alcohol beverage licensing process and the enforcement of the laws pertaining to the licensing, sale and regulation of alcoholic beverages in the City of Atlanta" so as to provide that one of the three representatives from the alcohol beverage industry shall be appointed by the Georgia Restaurant Association; and for other purposes.

**Councilmember Bond made a Motion to Adopt Resolution 11-R-1407. It was properly Seconded and CARRIED by a roll call vote of 10 yeas; 0 nays.**

**ADOPTED BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS**

- 11-R-1419 ( 3)      A Resolution by **Councilmember Ivory Lee Young, Jr.** authorizing the Mayor, on behalf of the City of Atlanta, to enter into an agreement ("Exhibit A") with the United States Department of Justice, Drug Enforcement Administration ("DEA"), that governs the participation of the Atlanta Police Department ("Department") in the DEA Atlanta Group Two Task Force ("Group Two"), for the purpose of disrupting illicit drug traffic in the Atlanta Metropolitan Area; and for other purposes.

**Councilmember Young made a Motion to Adopt Resolution 11-R-1418. It was Seconded by Councilmember Bond and a brief discussion ensued. After which, the Motion to Adopt CARRIED by a roll call vote of 9 yeas; 0 nays.**

**ADOPTED BY A ROLL CALL VOTE OF 9 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**PERSONAL PAPERS (CONT'D)**

**ORDINANCES/REFERRED**

11-O-1405 ( 1)      An Ordinance by **Councilmember C. T. Martin** waiving the payment provisions contained in the City of Atlanta Code of Ordinances, Article X, Procurement and Real Estate Code, to ratify the prior provision of Oracle Database Maintenance and Support under an expired agreement August 25, 2011 through October 31, 2011; authorizing the Mayor or his designee to enter into a Cooperative Purchasing Agreement with Oracle America, Inc., utilizing General Services Administration Contract Number GS-35F-0009T for the renewal of COA-5389-PL:Oracle Contract Number 4370085, Database Maintenance and Support for three (3) years with two (2) one-year renewal options beginning August 25, 2011 in an amount not to exceed Three Hundred Fifty-One Thousand, Four Hundred Eighteen Dollars and Thirty Cents (\$351,418.36) per year to be charged to and paid from Fund, Department, Organization and Accounts Numbers:

1001 (General Fund) 050211 (Network Management) 5213001 (Consulting/Professional Services – Technical) 1535000 (Data Processing Management Information Systems) (\$139,821.01)

5051 (Water & Wastewater Revenue Fund) 170113 (DWM Watershed Information Systems) 5213001 (Consulting/Professional Services – Technical) 1535000 (Data Processing Management Information Systems) [\$90,215.15]

5501 (Airport Revenue Fund) 180107 (Department of Aviation, Aviation Information Services 5213001 (Consulting Services Technology) 7563000 (Airport) [\$121,382.20]; and for other purposes.

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**

Council President Cesar C. Mitchell Presided

**PERSONAL PAPERS (CONT'D)**

**ORDINANCES/REFERRED (CONT'D)**

11-O-1408 ( 2)      An Ordinance by **Councilmember C. T. Martin** waiving the payment provisions contained in the City of Atlanta Code of Ordinances, Article X, Procurement and Real Estate Code, to ratify the prior provision of Numara Footprints Asset Management Bundle Software Support under an expired agreement from July 1, 2011 through October 31, 2011 and to authorize the Mayor or his designee to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 ET Seq. of the City of Atlanta Code of Ordinances, utilizing General Services Administration Contract Number GS-35F-0196M with Softchoice Corporation, an authorized reseller of Numara Footprints Asset Management Bundle Software for COA-5390-PL: Software Support and Maintenance for a term of two (2) years with two (2) one year renewal options on behalf of the Department of Information Technology, in an amount not to exceed One Hundred Fourteen Thousand, Two Hundred Eighty-Six Dollars and Seventy-Five Cents (\$114,286.75) per year for a total contract amount not to exceed Two Hundred Twenty-Eight Thousand, Five Hundred Seventy-Three Dollars and Fifty Cents (\$228,573.50); all contracted work to be charged to and paid from Fund, Department, Organization and Account Numbers 1001 (General Fund) 050211 (IT Network Management) 5213001 (Consulting/Professional Services) 1535000 (Data Processing/Management Information System) [\$209,281.50] and 5051 (Water & Sewer) 170113 (Information Systems) 5213001 (Consulting/Professional Services) 1535000 (Data Processing/Management Information System) [\$19,292.00]; and for other purposes.

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**

11-O-1409 ( 3)      An Ordinance by **Councilmember C. T. Martin** to correct certain omissions that were contained in the text of Atlanta City Council Ordinance Number 11-O-1861 adopted by the Atlanta City Council on June 20, 2011, that amended Ordinance Number 10-O-1556 to include the acquisition of additional equipment and vehicles for various departments within the City of Atlanta pursuant to the 1998A Master Lease and Option Agreement between the City of Atlanta and the Georgia Municipal Association, Inc.; and for other purposes.

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**



Council President Ceasar C. Mitchell Presided

**PERSONAL PAPERS (CONT'D)**

**ORDINANCES/REFERRED (CONT'D)**

- 11-O-1410 ( 4)      An Ordinance by **Councilmember Kwanza Hall** to ratify the continuing use of the trust fund established by Atlanta City Council Resolution 97-R-1686 and to expand the use of said trust fund to be used for the deposit of all funds donated to the City for the repair and construction of sidewalks, and, in addition, for the deposit of fees paid to and/or collected by the City for the repair and construction of sidewalks pursuant to Chapter 138, Division 1, Sections 138-14(d) and 138-76, and Chapter 138, Division 3, Section 138-103 of the Atlanta City Code of Ordinances; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**
- 11-O-1411 ( 5)      An Ordinance by **Councilmember Alex Wan** to adopt the “Atlanta BeltLine Master Plan: Subarea 6 (Monroe-Piedmont)”; to amend the City of Atlanta 2008 Comprehensive Development Plan (CDP) so as to incorporate the plan; and for other purposes.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION**
- 11-O-1412 ( 6)  
CDP-11-08      An Ordinance by **Councilmember Alex Wan** to amend the Land Use Element of the City of Atlanta’s 2008 Comprehensive Development Plan (CDP) so as to re-designate properties located in the Atlanta BeltLine Master Plan; Subarea 6 (Monroe-Piedmont) from various land use designations to various land use designations; and for other purposes. NPUs E & F Council District 6.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION**
- 11-O-1413 ( 7)      An Ordinance by **Councilmember Joyce M. Sheperd** authorizing the Mayor or his designee, on behalf of the City of Atlanta, to accept four grants for the total amount of Two Hundred Eighty Thousand Nine Hundred Thirteen Dollars (\$280,913.00) from YouthBuild USA for the purpose of providing guidance and assistance for low-income young people ages 16-24 with leadership development and community service training while working toward getting their GED or High School Diploma; and for other purposes.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION**

Council President Ceasar C. Mitchell Presided

**PERSONAL PAPERS (CONT'D)**

**ORDINANCES/REFERRED (CONT'D)**

- 11-O-1415 (8) An Ordinance and Charter Amendment by **Councilmembers Felicia Moore and Yolanda Adrean** to amend the Charter of the City of Atlanta, Georgia, 1996 GA Laws P. 4469, Et. Seq., adopted under and by virtue of the authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1 Et. Seq., as amended, by amending Part 1 (Charter and Related Laws), Subpart A (Charter), Article VI (Revenue and Fund Administration), Chapter 3 (Fiscal Control), Section 6-312 (Financial Stabilization Plan), so as to change the dates by which the City's Financial Stabilization Plan must be presented to and adopted by City Council; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**
- 11-O-1417 (9) An Ordinance by **Councilmembers Michael Julian Bond and Ivory Lee Young, Jr.** amending U-75-30 adopted by the City Council on December 15, 1975 and approved by operation of law on December 23, 1975 per Section 2-403 of the 1974 Charter granting a Special Use Permit for the purpose of a Mausoleum Administration Building expansion for property located at **2275 Simpson Road, NW (a.k.a. 2275 Joseph E. Boone Boulevard, NW)**; and for other purposes. Owner: Ms. Joan H. Sawyer; Applicant: Ms. Joan H. Sawyer; NPU-J Council District 3.  
**REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION**
- 11-O-1418 (10) An Ordinance by **Councilmember Ivory Lee Young, Jr.** to waive the provision of Chapter 162, Article II, Division 5, Section 162-116, of the City of Atlanta Code of Ordinances so as to permit each taxicab company to operate one (1) taxicab which does not comply with the color scheme approved by the Bureau of Taxicabs and Vehicles for Hire as provided in 162-116 during the month of October, 2011 only, to maintain the requirement that said taxicab be marked with the logo or insignia associated with the taxicab company; and for other purposes.  
**REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION**

Council President Ceasar C. Mitchell Presided

**PERSONAL PAPERS (CONT'D)**

**RESOLUTIONS/REFERRED**

- 11-R-1406 ( 1)      A Resolution by **Councilmember Natalyn Archibong** authorizing the Mayor to apply for a Livable Centers Initiative (LCI) Grant from the Atlanta Regional Commission (ARC) in an amount not to exceed One Hundred Twenty Thousand Dollars and No Cents (\$120,000) in order to conduct an LCI Study for the Memorial Drive LCI; and for other purposes.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION**
- 11-R-1414 ( 2)      A Resolution by **Councilmember Joyce M. Sheperd** authorizing the Mayor to enter into an amendment to the contractual agreement of Project HPR-2008-18B, Project Connect at Gateway, funded under the Homelessness Prevention and Rapid Re-Housing Program (HPRP) of the American Recovery and Reinvestment Act (ARRA) of 2009; and for other purposes.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION**
- 11-R-1416 ( 3)      A Resolution by **Councilmembers Michael Julian Bond, Alex Wan, Kwanza Hall and Aaron Watson** to authorize the Department of Public Works, the Atlanta Police Department, the Department of Parks, Recreation and Cultural Affairs, the Mayor's Office of Special Events, Piedmont Park Conservancy, Atlanta Botanical Garden, Midtown Neighborhood Association, Ansley Park Civic Association, Morningside-Lenox Park Neighborhood Association, Virginia-Highland Civic Association, NPU-E and NP-F Conduct A Parking and traffic control study for the neighborhoods and streets adjacent to Piedmont Park; and for other purposes.  
**REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION**

# **ADJOURNMENT**

Council President Ceasar C. Mitchell Presided

**ADJOURNMENT**

There being no further business to discuss, the September 19, 2011 meeting of the Atlanta City Council was adjourned at 5:39 p.m.

**ADJOURNMENT ROLL CALL:** Council President Ceasar C. Mitchell (1); Councilmembers Smith, Hall, Young, Archibong, Wan, Adrean, Moore, Sheperd, Bond and Watson (10); the attendance of Councilmembers Bottoms and Martin were not signified upon the adjourning roll call (2).